

APPEAL NO. 041682
FILED AUGUST 30, 2004

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on March 4, 2004. The hearing officer resolved the disputed issues by determining that the appellant (claimant) sustained a compensable injury on _____, and that he had disability beginning on November 2, 2003, and ending on November 5, 2003. The claimant appealed the disability determination on sufficiency of the evidence grounds. The respondent (carrier) responded, urging affirmance. The hearing officer's injury determination was not appealed and became final. Section 410.169. In Texas Workers' Compensation Commission Appeal No. 040775, decided May 26, 2004, we remanded the case back to the hearing officer for further clarification regarding his disability determination. On June 17, 2004, without taking additional evidence, the hearing officer issued a decision on remand in which he again found that the claimant had disability beginning on November 2, 2003, and ending on November 5, 2003. The claimant appealed this determination and the carrier responded, urging affirmance.

DECISION

Affirmed.

We have reviewed the complained-of disability determination and conclude that the disputed issue involved a factual question for the hearing officer to resolve. The hearing officer reviewed the record and decided what facts were established. We conclude that the hearing officer's determination is supported by the record and is not so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986).

We affirm the hearing officer's decision and order.

The true corporate name of the insurance carrier is **GREAT AMERICAN ALLIANCE INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**CT CORPORATION SYSTEM
350 NORTH ST. PAUL STREET
DALLAS, TEXAS 75201.**

Daniel R. Barry
Appeals Judge

CONCUR:

Elaine M. Chaney
Appeals Judge

Robert E. Lang
Appeals Panel
Manager/Judge